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HONOLULU, H. T., FRIDAY, JUNE 24, 1904—SEMI-WEEKLY.

WHOLE No. 2601.

ROOSEVELT AND FAIRBANKS ARE NAMED BY ACCLAMATION

Great Enthusiasm Among the Delegates --- Chairman Cortelyou's Preliminary Work---The Delegates Going Home---Headquarters to Open Last of July.

(ASSOCIATED PRESS CABLEGRAMS.)

CHICAGO, June 23.—President Roosevelt and Senator Fairbanks were nominated today by acclamation for President and Vice President of the United States. The President was placed in nomination by Ex-Gov. Black of New York and after several speeches seconding the choice, the unanimous vote was cast amid great cheering.

CHICAGO, June 24.—The exodus of delegates has begun pending the opening of headquarters the last of July. Chairman Cortelyou will select an executive committee of nine to arrange preliminaries.

KUROKI AND OKU COMING TOGETHER

ST. PETERSBURG, June 24.—The Japanese army under Gen. Oku is advancing northward from Kaichou. Gen. Kuroki's advance is suspended, evidently for the purpose of effecting an alignment of the two Japanese armies. There is much activity north of Feng-Wang-Cheng, where there have been many skirmishes.

AFTERNOON REPORT.

TOKIO, June 23.—Field Marshal the Marquis Oyama has been appointed to command the Japanese armies in the field with Lieutenant General Kodama as chief of staff.

KUROKI'S HEADQUARTERS, June 23.—The Russians today attacked the Japanese outposts and were repulsed with heavy loss.

ARCHBISHOP OF CANTERBURY WILL COME TO BOSTON

LONDON, June 24.—The Archbishop of Canterbury will attend the Episcopal Convention in Boston next October.



THE ARCHBISHOP OF CANTERBURY.



THE REPUBLICAN TICKET.

ALEXANDER CRAW ACCEPTS HAWAIIAN APPOINTMENT

SAN FRANCISCO, June 24.—Alexander Crow, the horticultural expert, is going to Hawaii to exterminate the leaf-hopper. He will leave here in August.

KILLED ON A RAILROAD.

MADRID, June 24.—Thirty people have been killed in a wreck at Ternet.

ROTTEN LIFE PRESERVERS ON ILL-STARRED SLOCUM

NEW YORK, June 24.—Much testimony has been given in the Slocum inquest to the effect that the life-preservers on board the ill-fated steamer were rotten. Nine hundred and seven bodies of the victims have been recovered.

FOREIGN MINISTERS STONED.

PORT AU PRINCE, June 23.—The Palace guards made an attack today on the French and German Ministers, who were accompanied by their wives. One of the ladies is of American birth. The attack was made with a volley of stones.

PAUL MORTON TO ENTER THE CABINET

WASHINGTON, June 24.—Paul Morton has been offered Secretary Moody's place. Moody will succeed Knox and Metcalf succeed Cortelyou.

Mr. Morton is a recent convert to Republicanism. A Chicago telegram in the coast files of May 26, says: Paul Morton, second vice-president of the Santa Fe Railroad and son of the late J. Sterling Morton, Secretary of Agriculture under President Cleveland, has renounced a life-long allegiance to Democracy and joined the Republican ranks. Morton is largely a convert of President Roosevelt, whose warm personal friend he became soon after President Roosevelt's nomination for the Vice-Presidency.

Knowing Morton's change of heart, several politicians formed a plan several months ago to have him elected a district delegate to the National Convention. At that time it looked as if President Roosevelt might have a fight on his hands for a renomination, in which event the Western political leaders desired Morton's aid in the battle. A change in the situation caused a change in the plan and Morton was elected an alternate delegate at large by the Springfield convention without his personal knowledge that this was to be done. Today Morton sent a note to the secretary of the convention accepting the nomination. In response, the secretary has been telegraphed the Democratic Party.

This action is the first that the Republican Party has taken since the late President's death. It is a bold move, and it is a move that will be watched with interest by all who follow the progress of the party.

is that it comes out with a new paramount issue every four years. I like the Republican party because it is a party that stands for the material interests of the country—it is a party that has done things."

HUGHES HAS RUN OF GOOD LUCK

H. P. Hughes, who won his weight in silver in the Examiner prize-drawings, was instructed by mail yesterday to have his avoirdupois certified to by a United States weigher. He will get \$175. Hughes is having much good luck these days, partly as a result of a broken leg. Since being laid up he has gained fifteen pounds which he collects on from the Examiner at the rate of \$1 per pound. Besides this he is getting \$25 per week from an accident insurance policy. His employers, the Electric Light Co., keep his wages running and the Heights of Boston pay his doctor's bill and \$1 per day for nursing. Naturally Hughes isn't picking.

A well known fact about these prize-drawings is that the Examiner has a list of names of all who have won prizes. The list is kept in a safe and is not given out to anyone. The Examiner has a list of names of all who have won prizes. The list is kept in a safe and is not given out to anyone.

JACK LONDON RETURNS FROM THE BATTLEFIELD

Did Not Get Much Chance to See Things. Admires Japanese But Thinks They Will Be Beaten.

Jack London, the intrepid war correspondent in the Far East, who went to the front despite the orders of the Japanese War Department, witnessed the famous battle at the crossing of the Yalu, and who has figured more or less prominently in the dispatches from the seat of war, is a passenger on the Korea, en route to "Oakland, Cal.," as Mr. London expresses it. He is going home disgusted with his experiences in fruitless efforts to see the smoke of battle, the clashing of Russians and Japanese soldiery, and to get "wind" of the proposed movements of the Japanese forces.

On his return trip from the war, Mr. London finds himself famous, for while he was engaged in discussing dinner last evening at the Hawaiian Hotel, autograph fiends were lying in ambush, and as they were of the gentler sex, the journalist capitulated, and the hand that has been writing "war" in the Orient, turned out card after card bearing simply the name "Jack London."

It is the opinion of Mr. London that barring internal dissensions or revolutions in Russia, non-intervention of the Powers, and eliminating the Baltic fleet from all war plans, Russia will win out in the great struggle by sheer weight of numbers and resources. He says:

"To me, the war is like a fight between a light, quick, agile, punchy little pugilist pitted against a big pugilist. The little fellow gets in many body blows, succeeding each other with a rapidity to startle the big fellow, but the latter generally has a blow in reserve up his sleeve which proves fatal to his antagonist in the long run. That, to my mind, is the situation in the Far East. Supposing the Japanese do take Port Arthur and drive the Russians from the Liaotung peninsula, or even Manchuria itself, Japan must of necessity extend her line in a long, thin formation to Siberia, almost, to guard its conquered territory.

"Thus far Japan has been the aggressor, and has had the advantage. Let

her once be on the defensive and the situation may change.

"The whole question simmers down to this one point: How long each country can stand the strain upon its physical and financial resources. Japan with the prestige of her naval and land victories was enabled to make a foreign loan by pledging its customs receipts at six per cent. How will it be possible for them to place a second mortgage upon these receipts? That, to my mind, was a colossal blunder of the statesmen who effected the measure.

"Every soldier that Japan is now sending to the front is lessening the country's power of creative industry. Every soldier takes a man from the manufacturing and agricultural pursuits to which the nation looks to obtain its gross revenues. The Japanese soldier is kept in the field as cheaply as any man can be sent to war, but there is a limit to resources.

"There may come a time then, when there may be no shoes to send to the soldiers and no powder to burn, and that will be the time when Japan will look for intervention. I believe that Russia will ultimately win out."

As to his personal experiences Mr. London said that he as well as the other war correspondents have had little opportunity to observe military operations. The Japanese authorities were strict to a painful degree in the handling of the writers and but fourteen were finally permitted to go to the front with the first army division.

"This is the first war in which the military movements of armies and navies," Mr. London continued, "at least of the Japanese, have been kept an absolute secret from the world in general. No news whatever is permitted to be given out as to future movements, large or small. In fact, at the battle of the Yalu the Russians knew more about Japanese plans than we. Why, you people in Honolulu had more news of operations and results than the correspondents in the field.

"I was in Korea at the outbreak of

(Continued on page 5.)



JACK LONDON, THE RETURNING WAR CORRESPONDENT.

KUMALAE HAD CLERK

But Committee- men Were Not Apprised.

(From Wednesday's Advertiser.)

The Enoch Johnson-Jonah Kumalae case in which the defendants are being tried before Judge De Bolt upon the charge by indictment of conspiracy to defraud the territory, held the attention of the jury all day yesterday, the prosecution offering its evidence in the forenoon, the afternoon being devoted to the examination of witnesses for the defense. There is yet another witness for the defense who will be examined this morning, and after arguments, the case will go to the jury.

The defense offered the evidence of Kumalae who as a star witness testified to having employed Enoch Johnson as a clerk to the committee on investigating the Chinese Fund on behalf of the House of Representatives, but failed to let any of the committee members know of it. He secured a legal opinion, verbally, from his clerk for which he paid him \$50. The report of the minutes which Johnson made up from Kumalae's notes, according to Kumalae's statement, is "lost." It was not kept, although for working up the report, and typewriting it, he was paid a large sum of money.

Representative Chillingworth as a witness for the prosecution stated that he was a member of the Chinese Fund committee, and that after two or three meetings were held, the matter seemed to drop out of sight. He spoke to Kumalae about the lack of meetings and the latter said he had difficulty getting them together. Johnson had not attended any of the meetings. Mr. Chillingworth said he had drawn up the report and handed it to Mr. J. W. Girvin who put it in typewritten form. Mr. Girvin had prepared certain sections of the statutes for insertion, which were, however, passed on to the report and later taken from it. He never knew that Johnson had anything to do with the report. Johnson, also, had not given a legal opinion to the committee.

Mr. Girvin testified that he had typewritten the report. As payment, he had been paid in cash by Kumalae in the hallway of the capitol. The testimony of H. E. Cooper, Jas. H. Boyd, J. A. Magoon, T. Lyons, John M. Wilson and Mrs. Leonard was offered to show that Johnson had not attended any of the meetings.

Attorney Ashford said the defense would be to show that Enoch Johnson had been employed by the committee to perform clerical work and that at the express wish of Kumalae he did not attend the committee meetings, Kumalae taking notes which he subsequently handed to Mr. Johnson to write into the report.

A legal opinion was also desired at this time, and Johnson gave it in writing charging \$50 for it. Subsequently, Mr. Girvin handed in a report, and Johnson also had one. Johnson took the Girvin report made interlineations in it, and it was then handed to Testa who wrote the last five pages of the report to make a clean copy.

F. J. Testa was called as a witness by the defense, he testifying that he had typewritten the last five pages, for which work he was paid \$2.50 in cash by Kumalae. No explanation was made as to why cash was paid instead of payment being made by warrant. Solomon Meheula, clerk of the House of Representatives, was called. Attorney General Andrews handed up a bill for \$500 purporting to be drawn up and payable to Meheula, for his inspection as to whether he handed that special bill to be O.K'd by the chairman of the committee. Then ensued a parry of words between Ashford and Andrews. Meheula protested that he was indicted on that bill and it might incriminate him if he answered.

Jonah Kumalae, chairman of the committee to investigate the Chinese fund, testified he acted as clerk of the committee, using abbreviations, leaving out words, but writing rapidly enough to take the testimony. Johnson, although appointed as clerk did not attend the meetings as it was a rule to exclude everybody except the witness under examination. This rule was broken when H. E. Cooper appeared as a witness when a shorthand expert was called in.

Kumalae denied that he had appointed a sub-committee, which had been testified to. He was not consulted in the appointment of Mr. Girvin to do clerical work. He had employed Johnson at \$5 per day. He turned over the testimony to Johnson, who transcribed it, filling in the proper words, etc. He said he was very much surprised when Long handed into the Girvin report, but he handed it to Johnson to go over. Johnson's own report covered 45 pages. He found that Girvin's report contained better English and after consulting with some members he thought it ought to be presented to the House.

Kumalae identified a voucher for \$50 for a legal opinion given by Johnson, the check, which was given verbally, and which Johnson said he had not incorporated in the report. Kumalae knew Johnson to be an attorney, and he knew that legal opinions given by Johnson were to be taken down and put in the report. He said he was not a shorthand expert, and he was not a legal expert.

The \$45 it was a reasonable charge, because "judging from charges made in the legislature was reasonable."

He did not notify the committee that he had appointed Johnson until toward the end of the session. He was not sure about this as his memory was not good. Johnson's work was to take his notes taken at meetings and write them out in "proper form," filling in words.

"According to the amount of work I guess it was twenty-six days' work, altogether," said Kumalae referring to Johnson's clerical work. "He told me he worked on it twenty-six days," he continued.

"Johnson's report was never presented to the committee—it was presented to me. It was found that Girvin's report was the better one, so that was adopted."

"Did you ever notify the committee that you had obtained this opinion?" inquired Andrews.

"I don't remember," answered Kumalae. "That became the burden of his answer."

"I will say, however, that the committee signed the whole report and the opinion was in it," said Kumalae.

He could not point out in the report the "opinion." He was asked why the lawyers, on the committee of which there were three—Long, Chillingworth and Fernandez—had not been questioned as to the legal point.

"How about yourself," asked Andrews, "weren't you one of Humphreys' lawyers?" which caused a smile. It was brought out by Kumalae's testimony that despite the secrecy by which Johnson was excluded from the meetings, Prendergast, the clerk of another committee, was present.

David Kuphea said that as a member of the committee on accounts he did not pass personally on more than ten vouchers out of 64 made up during the session.

COURT NOTES.
The case of Robert Fuller vs. The Rapid Transit & Land Company was argued before the Supreme Court yesterday, D. L. Withington for the defendants, and Messrs. Clemons and Crook for the plaintiff.

The case of Genevieve Dowsett vs. Wilder's Steamship company occupied the attention of Judge Dole yesterday. The case was continued until today.

In the case of the Territory vs. Jock Morgan, the defendant has been given twenty days from June 21 to prepare and file his bill of exceptions on appeal to the Supreme Court.

WILL RENOVATE GOVERNOR'S OFFICE

Acting Governor Atkinson is contemplating the renovation of the room of the Governor in the capitol building. It is now one of the dingiest in the second story and the wood-work needs varnishing and polishing, the floors are in need of shellac and the plastered walls ought to have attention for some time.

It is a curious thing that just over the desk of the Governor hangs the portrait of a ruler who lost not only his crown and throne, but to the people their very country, through a series of blunders. This is the oil portrait of Napoleon III, presented by that monarch to the reigning ruler of Hawaii. In a nearby corner is a marble bust of the Empress Eugenie, most of the other relics which occupied the chamber of the days of Hawaii's monarchy have been removed or sold.

THE TRUTH ALWAYS.

"When you are in doubt tell the truth." It was an experienced old diplomat who said this to a beginner in the work. It may pass in some things, but not in business. Fraud and deception are often profitable so long as concealed; yet detection is certain sooner or later; then comes the smash-up and the punishment. The best and safest way is to tell the truth all the time. Thus you make friends that stick by you, and a reputation that is always worth twenty shillings to the pound everywhere your goods are offered for sale. We are able modestly to affirm, that it is on this basis that the world-wide popularity of WAMPOLE'S PREPARATION rests. The people have discovered that this medicine is exactly what it is said to be, and that it does what we have all nature also has been frankly made known. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. A combination of supreme excellence and medicinal merit. Nothing has been so successful in Anemia, Scrofula, Bronchitis, Indigestion, Loss of Flesh and Wasting Diseases, Weakness and Low Nervous Tone, and all complaints caused by Impure Blood. Dr. Austin D. Irvine, of Canada, says: "I have used it in cases where cod liver oil was indicated but could not be taken by the patient, and the results following were very gratifying." It cannot describe or disappoint you, it is effective from the first dose and comes to the rescue of those who have received no benefit from any other medicine.

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CHAIRMAN COOPER ON THE COUNTY MEASURE

He Believes the Organic Act Meant To Limit the Power of County Government. Wants a Simple Bill.

(From Wednesday's Advertiser.)

"I believe that the opportunity offers for the formation of a bill which will provide for a simple form of government, an opportunity for a representative government to begin its work in the territory," said chairman Henry E. Cooper at last night's meeting of the County Commission. "The principal feature upon which this government may well be founded is the right of the people in their respective counties to expend the money received by them from taxes therein, upon their own public works. That certainly is a step towards representative government, and one which may well occupy the minds of the people, for it is a stepping stone to further and greater powers later on."

"I believe the Organic Act must be our guiding star in forming the county bill presented to the legislature. The more I study it the more I believe the power of county government was intended to be limited; that the elaborate bill which was presented to the legislature of 1903 contains many valuable suggestions and much painstaking work, but it was in many respects in conflict with the Organic Act, and I raised two of these points before the Supreme Court. I also believe there were many vulnerable points in the act itself. I think, as lawyers, our reputations are at stake, and we should draw up a report which should be free from any conflict with the Organic Act."

"I believe also that the County Act of 1903 contains more than it should have done in the way of complications, irrespective of the provisions of the Organic Act. I don't see any reason to have in it the revenue measures and license act that were placed in the Act of 1903. Those matters can be handled by a simple amendment to the present law upon these two subjects."

"I also feel a grave doubt about the right of the Territory to transfer territorial property to the counties. I have briefs here which were well considered on that point, and my special feeling is that we should take no chances on this subject."

"Then comes the question of the form of government. From a political standpoint, those who desire to see a full consummation of the right of the people to have their affairs conducted by people of their own choice, look upon the election of the Board of Supervisors as one of the primal essentials. I feel that is doubtful, legally. The Board of Supervisors is undoubtedly a public Board, and in the opinion of our firm in testing the case before the Supreme Court, we contended that the election of a Board of Supervisors was contrary to the Organic Act. These are not solidified opinions or unalterable convictions, but the growth of thought and experience in contact with the Act of 1903."

"How shall the county be governed? Shall it be by a single Supervisor for each county elected by the people, or by a Board appointed by the Governor?"

"I would not express an opinion upon this one way or the other, but it appears to me the matter comes down to that point."

"I believe that we can make progress by taking up the Act of 1903, going through it possibly several times, at first striking out those sections which we feel clearly should not be admitted as a part of the new Act, then taking up parts not so clear and arriving at a conclusion as to whether they should remain or not, and then taking up the bill and correcting wording in the remainder, eliminating phrases in doubtful sections, or adding to others."

"I believe that there is no need, from an economic standpoint and from the standpoint of a proper administration of affairs, that there should be more than one county on Oahu. I have talked to the people before and after the passage of the Act of 1903 and I think I know fairly well the sentiment of the people here, upon that point. Many of the people on Hawaii are of the same opinion, that they should not only have representative government, but it should be a popular government, and not a burden. Excessive expenditures of money in the way of salaries would gradually make the burden irksome. While it is a large island, Hawaii is much smaller than many counties on the mainland, and with the opening of new roads and railroads around the island forming a belt about it, and with increased steamer facilities, it is not difficult to communicate with the county seat which would be at Hilo—the courts remaining where they are so that the matter of litigation could be handled much the same as now. Perhaps a re-division of the District Magistrate jurisdictions might be made."

"I have reserved definite and final conclusions until I can have the benefit of the opinions of all of you, and I come to the work entirely without prejudice. I state this in a general way to show how my mind has been working since the commission was organized."

This statement brought about a general discussion, each member giving his own views as to the best method of getting down to work.

Mr. Beckley, in reply to a question of the chair, said that now in taking up the act there was something to work on, and he agreed that to follow Mr. Cooper's suggestions would be the proper program.

Mr. Watson said that it would be an exceedingly bad thing for the commission not to be able to get around the legal phases as to supervisors, as there were nearly all lawyers on the commission; he did not think it would be well to have one man elected as supervisor as he would be practically the potentate of that county. Neither did he favor the appointment of a Board of Supervisors by the Governor. He suggested going through the 1903 act, section by section.

Mr. Stewart wanted material that to work on, such as the bills filed before the Supreme Court by Mr. Cooper in the County Act of 1903.

The application of this it is thought to do the central and appropriate work for the county government, and it is a discussion was had up in regard to the proper form of government, and it was decided to take up the Organic Act, and to see what could be done to make it more representative of the people, and to see what could be done to make it more simple and more in line with the Organic Act.

The chair suggested that for the next meeting the Commission begin upon the old County Act, section by section. Adjournment was taken until next Tuesday evening.

JUDGE PARSONS.

The Hawaii Herald gives the following biographical sketch of the new Judge of the Fourth Circuit:

Charles F. Parsons who born in Mankato, Minnesota, January 18, 1872, his mother being a daughter of the Hon. Albert S. White, United States Senator from Indiana from 1839 to 1845, and later United States District Judge in the same state, and a great granddaughter of Thomas Mann Randolph, of Tuckahoe, governor of Virginia from 1819 to 1821.

Mr. Parsons received a common and high school education in his native town and, in 1890, removed to Washington, D. C., accepting an appointment in the War Department, which he resigned the following year to enter the Law Department of the University of Michigan, from which institution he graduated in 1893, receiving the degree of Bachelor of Laws. He was admitted to the bar of the Supreme Court of Michigan and, shortly afterwards, removed to San Diego, California, where he entered the law office of Messrs. Withington & Carter. After serving a brief apprenticeship with that firm, he entered into co-partnership with Robert R. Wedekind under the firm name of Parsons and Wedekind. In 1895 he removed to Los Angeles and three years later to the Hawaiian Islands.

In 1899 he was appointed District Magistrate of North Hilo, and resigned that position the following year to enter into co-partnership with Carl S. Smith, shortly after the latter's retirement from the Circuit bench, the co-partnership continuing until Mr. Parsons' appointment to the judgeship.

CIVIL SERVICE EXAMINATIONS

The United States Civil Service Commission announces an examination on June 29-30, 1904, to secure eligibles from which to make certification to fill at least two vacancies in the position of medical interne in the Government Hospital for the Insane, Washington, D. C., at \$600 per annum each, and other similar vacancies as they may occur in that hospital.

The examination will consist of the subjects mentioned below:

1. Letter-writing.
2. Anatomy and physiology.
3. Chemistry, materia medica, and therapeutics.
4. Surgery and surgical pathology.
5. General pathology and practice.
6. Bacteriology and hygiene.
7. Obstetrics and gynecology.

Age limit 29 years or over. Applications received by the Secretary until the hour of closing business on June 28, 1904.

The United States Civil Service Commission announces an examination on July 6, 1904, to secure eligibles from which to make certification to fill vacancies as they may occur in the position of farmer in the Indian Service.

As the Commission has experienced considerable difficulty in securing eligibles for this position, qualified persons are urged to enter the examination. The examination will consist of the subjects mentioned below:

1. Penmanship.
2. Spelling and copying.
3. Farm economy.
4. Keeping accounts.
5. Practical questions in carpentry and blacksmithing.
6. Practical questions in farming.
7. Experience in farming.

Six and one-half hours will be allowed for this examination. Age limit, 20 years or over. Applications received by the Secretary until the hour of closing business on June 28, 1904.

The annual examination for the position of Night Inspector in the local Custom Service will be held at the High School on July 18, 1904. Applications must be filed with the Secretary by the hour of closing business on July 15, 1904.

A. B. INGALLS,
Secretary Local Board of Civil Service Examiners.

President May Come.

NEW YORK, June 12.—A special to the Sun from Washington says: According to members of the Filipino Commission, now being entertained in Washington, President Roosevelt is contemplating a trip to the Philippine Islands. The Filipinos say they learned this from the President when they were his guests at the White House luncheon on Friday. They assert he told them he expected to visit the islands, but did not indicate when he intended to go. The Filipinos, however, got the impression that the time is not a great while off. In fact, many of them believe he intends to go to Manila with Secretary of War Taft next summer. Some others are of the opinion that he may wait until his term as President expires, whether that be next March or in 1905.

Since their visit to the White House the Filipinos have given much time to discussion of what the President said, and all of them appear delighted over the prospect of having him with them in the archipelago.

IRON WORKS TO BUILD BIG MILL

The Honolulu Iron Works have been awarded a contract to build a large mill for the Hawaiian Sugar Planting Co. The mill is to be built at the company's plantation at Wai'anae, and will be used for the purpose of crushing sugar cane.

G. A. DAVIS REINSTATED

Writ of Error in Kauai Taxes Shortage Matter.

(From Wednesday's Advertiser.)

An order was made orally by Chief Justice Frear, at yesterday morning's session of the Supreme Court, granting the latest petition of George A. Davis for readmission to the practice of law in the Territorial courts.

Having been called to the bar, Mr. Davis was informed that the commutation of his absolute disbarment making it end with the beginning of the coming October term was decided on after a careful consideration of all the circumstances, including his unseemly and inappropriate conduct before that court at various times. In his statement made to support his subsequent petition for immediate reinstatement, he had mentioned his financial distress and the court having considered that plea now remitted further punishment. The court trusted that its future relations with Mr. Davis would not be marked by the unpleasantness that had at times characterized them in the past.

Mr. Davis, responding to the words that restored his means of livelihood, said he felt grateful to the court. He would endeavor to maintain the respect of the court and do his part in upholding its dignity. At the same time he trusted he would be accorded equal privileges with other members of the bar, so that he might come before the court without fear and trembling.

HUMPHREYS AND THOMPSON.

A. S. Humphreys, who was disbarred, and F. E. Thompson, suspended for one year, in the same decision that disbarred Davis last August, had an interview with Chief Justice Frear at noon yesterday. In the presence of Justices Hartwell and Hatch, late in the day, the Chief Justice stated that no announcement could yet be made regarding Messrs. Humphreys and Thompson.

THE KAUAI WRIGHT.

Walter A. Wright vs. J. K. Farley, writ of error, was argued and submitted before the Supreme Court. Smith & Lewis appeared for plaintiff in error and M. P. Prosser for defendant in error. Farley, as tax assessor for Kauai, prosecuted Wright on his bond as deputy assessor to recover the amount of an alleged shortage. Wright had recourse to a writ of error to bring the case up for review.

It was not known yesterday what matters would be heard at today's session of the appellate court.

THE EFFICACY of Chamberlain's Pain Balm in the relief of rheumatism is being demonstrated daily. If troubled with this painful disease procure a bottle at once. One application relieves the pain. Sold by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

Genevieve Dowsett's libel for damages against Wilder's Steamship Company, on account of the loss of a trunk with valuable contents, was still on before Federal Judge Dole yesterday.

Wm. G. Irwin, who returned in the Ventura with Mrs. Irwin and daughter, looks more robust than he has appeared for years. He attributes the rise in the sugar market to the increased consumption of sugar throughout Europe, which has been decidedly marked since the abolition of bounties. Shortages of European beet and Cuban cane further affect the situation.

For the Skin

You cannot have a clear and smooth skin unless the blood is pure. Blotches, eruptions, rashes, pimples, all show how impure the blood must be. Get all impurities out of your blood before you are seriously ill.



Miss Dorothy Maher, of Fitzroy, Victoria, sends her photograph and this letter: "I had a terrible eruption on my face, which was of a very irritating nature. I tried many blood medicines, but without relief. Friends told me to try Ayer's Sarsaparilla, as it was a most famous blood remedy. I did so, and after taking only two bottles I began to see a great change. By the time the third bottle was used the eruption had entirely disappeared, and without leaving a mark on my face. I am perfectly well now, and I owe it all to this great blood purifying remedy."

AYER'S Sarsaparilla

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U.S.A.

UNEXAMPLED LEGAL ACTS

Judge Gear Talks Sharply About Magoon.

In deciding the case of L. H. Dee vs. W. H. Smith in favor of the defendant, Judge Gear comments severely on the conduct of J. Alfred Magoon, attorney for plaintiff. For a proper understanding of the decision the facts of the case should be taken in their order.

L. H. Dee and others brought an action against Frank Hustace, J. J. Egan and Frank H. Foster to recover moneys they had paid themselves out of funds of the Kamalo Sugar Co. as its promoters. Judgment was given against defendants for \$39,781.88 by Judge Humphreys, of which amount Hustace paid his proportion of one-third.

Magoon and Dee advised and urged Hustace to dispose of his property, so as to avoid execution upon it for satisfying the remainder of the judgment, and that he might turn round and join the Kamalo plaintiffs in prosecuting Egan and Foster to recover such judgment remainder. Part of the scheme was that Hustace was to give a bond to protect the judgment creditors, in the event that nothing could be recovered from his co-defendants in the Kamalo suit. Hustace did not give the bond, but he paid Magoon an attorney's retaining fee of \$150 to bring an action against Egan and Foster. He also took Magoon's advice to the extent of deeding a portion of his property to his (Hustace's) brother. The action last mentioned was never brought, but Magoon kept the \$150 fee.

Hustace gave a deed of other property to W. H. Smith, defendant in this case. The actual consideration was \$10,000, but on the advice of a banker the nominal consideration of \$1 was stated in the deed so as to save stamp expense. It was sought by the plaintiff to show that this was a fraudulent conveyance to defraud the Kamalo judgment creditors, but it was proved in court that Hustace was being pressed with foreclosure proceedings to enforce payment of a note of \$10,000 due the Louisiana estate; that he could not raise the money on the land from any of several bankers applied to, but by a certain banker was referred to Smith; that Smith under agreement to be given the land, together with certain sugar stocks, lifted the Louisiana note by paying its amount in full.

Afterward the same property as that conveyed to Smith was levied on, at the instance of Dee et al., and being sold under execution was conveyed by the High Sheriff to the purchaser, L. H. Dee, for \$1000. Dee next brought the present suit as one to quiet his title to the property.

Judge Gear especially reprobates Attorney Magoon's conduct in attacking a deed on the ground of fraud, when he had advised the very maker of that deed to make a similar deed with the especial purpose of defeating the claims of his creditors. Attorney A. G. M. Robertson is quoted in evidence as stating that he had strongly advised Hustace against going into the Dee-Magoon scheme of disposing of his property to escape from his legal obligations. Robertson told him to get another attorney if he wanted to take the course in question, he having been attorney for Hustace, Egan and Foster in the Kamalo suit. It was also testified by Robertson that he had cautioned Magoon against proceeding with the scheme.

It was in evidence that Dee, advised and prompted by Magoon, in trying to put Hustace up to the scheme, told him "it was a shame" that he (Hustace) should have to pay the other defendants' share of the judgment besides his own. Judge Gear, commenting on this sentiment, asks about the rights of other creditors of Hustace than the Kamalo plaintiffs. For instance, the Louisiana estate, with its claim of \$10,000, which would have been equally imperiled with all others under the Dee-Magoon plan.

Judge Gear quotes the ancient maxims that "he that seeks equity must do equity" and must have "clean hands," making the following comments:

"Mr. Magoon by accepting employment from Mr. Hustace and receiving his fee thereafter was bound to act for the interests of Mr. Hustace in saving him from the payment of the balance of the Kamalo judgment. That was the purpose of the employment and Mr. Magoon could fulfill the contract only by giving to the case his best and most faithful endeavors.

"He accordingly first advises Mr. Hustace to dispose of all his property so that he will be execution proof. Mr. Hustace subsequently follows this advice. Mr. Magoon and Mr. Dee on learning that Mr. Hustace has done the very thing they both wanted him to do use this act of Mr. Hustace as one of their weapons to fight Mr. Hustace in this suit. Mr. Magoon still having the fee Mr. Hustace paid him to protect him from any further liability. I doubt if ever in the annals of jurisprudence a case such as this can be found. I have been unable to find any."

In conclusion the court awards the title of the property to W. H. Smith, stating that a decree will be signed accordingly.

MR. MAGOON'S STATEMENT.

Editor Advertising: It is a matter of regret to me that Judge Gear in the case of Dee vs. Smith should have taken an entirely wrong view in discussing the case on a matter which, according to his decision, appears to me to have nothing to do with the merits of the case. Judge Gear decides that the deed which Mr. Hustace made to Mr. Smith

was not fraudulent. The decision of the case so far as Mr. Smith is concerned is in these words: "It seems to me that the transaction in question was perfectly fair and legitimate * * * from the evidence it is clear to me that the whole transaction with regard to the land in question was regular and proper and I find that it was not made with the purpose of hindering, delaying and defrauding creditors."

Judge Gear has evidently come to the conclusion that I, without any attempt at concealment, advised Mr. Hustace, my adversary in litigation, to make a fraudulent disposition of his property to defraud the Kamalo Sugar Company for whom I was acting, and then deliberately brought suit to avoid the fraudulent deed. I am sorry that the Judge should view the testimony in that light, for it indicates that he thinks I should be in an insane asylum, as no sane man would have done such an act, however low his moral standard. I observe that Judge Gear did not see fit to criticize the banker who also advised Mr. Hustace to make a transfer of his property. All that I did was in the interests of fair play to Mr. Hustace who had manfully paid one-third of the judgment, and my principals did not want to see him pay any more, if the balance of the judgment could be recovered from his co-defendants; for if he had paid the whole judgment, it being a case for damages, he could not recover anything from them, and they would be under no liability whatever either to Mr. Hustace or anybody else to pay any portion of the judgment.

Mr. Hustace testified that it was the wish of many of the stockholders that he should not be called upon to pay any more of the judgment than the one-third which he had already paid.

That my conduct was approved by my principals will appear by a statement signed by the directors of the Kamalo Sugar Company in part as follows:

"In June, 1902, Harvey R. Hitchcock and others, acting for the Kamalo Sugar Company, Limited, obtained judgment against Frank Hustace, F. H. Foster and J. J. Egan for a large sum of money, and a large number of paid-up shares of the capital stock of the Kamalo Sugar Company, Limited. Mr. Frank Hustace immediately on the rendition of this judgment paid into court one-third of the amount of the judgment. We therefore felt that it would be unjust to compel Mr. Hustace to pay the other two-thirds of the judgment, and that his co-defendants, Egan and Foster, should go scot free. We therefore heartily approved of the suggestions made by Mr. Dee, that proceedings should be attempted against Egan and Foster, and it was perfectly agreeable to us that Mr. J. Alfred Magoon should act as attorney for Mr. Hustace with the above end in view, provided Mr. Hustace should see fit to employ him. In approving of the plan suggested for the protection of Mr. Hustace we did not in any way connive at an attempt on the part of Hustace to prevent recovery of the judgment, but were actuated by a sense of justice and a desire that Egan and Foster should be made to disgorge their share of the plundered funds of the Kamalo Sugar Company, Limited. In this desire we were joined by a large number, if not all, of the stockholders of the Kamalo Sugar Company, Limited."

J. ALFRED MAGOON,
Dated Honolulu, June 23rd, 1904.

DULL MORNING IN THE POLICE COURT

There was but little doing in Judge Lindsay's court yesterday morning. There were only five cases on the calendar.

A. V. Lloyd, charged with selling adulterated milk, had sentence suspended for thirteen months.

A nolle prosequere was entered in the case of Chang San charged with larceny. On a charge of vagrancy he was sentenced to one year's imprisonment at hard labor.

The case against Wm. McCarthy, who was arrested on complaint of Frank Turk also fell through, a nolle prosequere being entered by the prosecution.

Lee Lui Lock, charged with the murder of L. T. Chin, was committed to the Circuit Court for trial.

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IMPROVED TO ITS HURT

H. E. Cooper Gives His Side of Mortgage Dispute.

Henry E. Cooper, in his suit for foreclosure of mortgage against Island Realty Co. and Joseph A. Gilman, has filed a separate replication to the answer of each respondent. He denies that at the date of the Island Realty Co.'s mortgage there was any incumbrance on the property in the sum of \$1000 or any other sum, and alleges that the \$1000 due as taxes for 1900 did not become a lien until Sept. 1, 1900. He admits that the taxes from 1900 to 1903, both inclusive, were paid by the Island Realty Co. This was in accordance with an agreement made at the time of the execution of the mortgage and defendant paid such taxes voluntarily. Between date of mortgage and May 11, 1903, there were six statements of account and defendant always paid the full amount of interest, never in all that time intimating that it was not liable for the taxes.

On November 11, 1903, the defendant company sent to plaintiff a purported statement of account, which plaintiff declined to accept. This account as shown by exhibit contained two items of \$650 each for taxes of 1900 and 1901 respectively, which defendant debited to plaintiff. Thereafter, the Island Realty Co. being in default for taxes for 1902 and 1903, suit was brought against it therefor in the Honolulu District Court, and on December 12, 1903, the company wrote to Mr. Cooper notifying him of the suit against it, for \$2005 taxes, saying:

"The Island Realty Co., Ltd., has no defense to said suit, nor is it able to pay said taxes. As the mortgagee you are liable to pay a portion of said taxes and you are therefore requested to pay the same, and to take such other steps as you may deem advisable for the protection of your interests in the matter."

Plaintiff answering this letter denied his liability for taxes and after the suit had gone to execution defendant paid the taxes. Thereafter interest on defendant's note from May 11 to Nov. 11, 1903, being unpaid, plaintiff threatened defendant with foreclosure proceedings, whereupon defendant company wrote to plaintiff a letter dated January 6, 1904, in which it claimed it did not owe plaintiff \$1950 interest. Instead, it had a claim of \$2490 for taxes paid by it for the four years previous, which made a net charge of \$500, plus interest thereon, against plaintiff. Defendant company therefore protested against the threatened foreclosure proceedings, saying if plaintiff took such proceedings it would hold him liable for damages. The letter quoted the law providing that the payment by a mortgagor of taxes on its property shall be deemed to be a payment to the mortgagee on account of interest, or of principal and interest.

On May 11, 1904, another installment of interest became due and defendant company accepted a proposal by plaintiff that it pay \$3250 at once in full settlement of interest due to that date. Defendant also agreed not to set up any further claim for taxes theretofore assessed or thereafter to be assessed. Plaintiff now says he is still willing to accept the sum stated on the given understanding if the payment was made before the cause came on for trial.

Plaintiff, on information and belief, alleges that defendant has not at any time appended to its tax returns any statement of the date of its mortgage, the amount secured thereby or the name of the mortgagee, and hence contends that it cannot claim any exemption from taxation on the property nor charge plaintiff with the taxes.

It is alleged that the improvements put on the land by the Island Realty Co. "have not only not increased its value, but have decreased said value, in that the location and character of the said property make it wholly unsuitable for building purposes at the present time or at any time in the near future, and that said improvements have unfitted it for other uses."

Finally, Mr. Cooper denies the claims of defendants as to how the property should be sold and respecting the terms of sale in case of foreclosure, saying that if the land was sold as they propose, for which the terms of the mortgage give no authority, plaintiff would be caused great and irreparable damage.

UNCLE SAM STILL HAWAII'S DEBTOR

It appears the United States has not yet quite paid its annuities debt to Hawaii. Treasurer A. J. Campbell states that the sum of twenty-nine dollars sixty-nine cents (\$29.69) is still owing on the principal of the four million dollars of Hawaiian debt assumed by the United States. The amount cannot be cleared on the books of the Territorial Treasury until the balance has been paid.

The draft to pay the balance of interest on the debt, mentioned in this paper yesterday, is in the United States Treasury at San Francisco.

TWO MORE READMITTED

Humphreys and Thompson Restored to Law Practice.

At the opening of the Supreme Court yesterday morning Chief Justice Frear announced that the operation of the penalties against Abram S. Humphreys and Frank E. Thompson was ended. In August last Mr. Humphreys was disbarred and Mr. Thompson suspended from practice for one year. The court wished to refer with particular approval to the good conduct of both the applicants for readmission ever since the order against them was made.

The building of the Masonic Temple ten or twelve years ago had to do with a case argued and submitted before the Supreme Court yesterday. This was the suit of E. H. F. Wolter, surety on the contractor's bond, against Fred. H. Redward, contractor. J. A. Magoon and J. Lightfoot appeared for the plaintiff, and W. T. Rawlins for the defendant.

Allen & Robinson vs. Annie S. Reist was argued and submitted by Kinney, McClanahan & Cooper for plaintiff, and C. W. Ashford for defendant.

HE INTENDED TO KILL ONE OTHER

The hat worn by Lee Lui Lock, who is charged with the murder of Chin, was found by Detective McDuffie in Chin's house yesterday morning. On the hat band in ink was written "Lee Lui Lock."

It is said that when captured by Harry Mossman on Thursday night Lee Lui Lock was on his way "to see another man"—he intended to kill Lee Chu, president and manager of the Oahu Lumber Co., who was said to hold the mortgage on Lee Lui Lock's home. It is said that he told Lee Chu some days ago that he would kill both Chin and Chu. Had Harry Mossman not happened to be in the lane and have captured Lee Lui it is quite likely that he would have also murdered the manager of the Lumber company.

In the police court yesterday morning Lee Lui Lock waived examination and was held to the Circuit Court for trial.

It seems that there were other business troubles between Lee Lui and Chin than simply the trouble over the mortgage.

Lee Lui is reported to have said to the police: "I no care. I old man, allright I die. He young man, he no like die. He die. He cheat me."

The revolver taken from Lee Lui was still warm when Mossman secured it.

YOUNG CULPRIT GOES TO REFORM SCHOOL

Juanito Cruz, the boy who robbed the Honolulu Plantation store a short time ago, was committed by Judge Hookano, of Ewa, to the Reform school for the remainder of his minority. The mittimus in his case says: "Juanito Cruz lives an idle life or dissolute life whose parents are dead."

JACK LONDON RETURNS.

(Continued from page 1.)

the war. I slipped away from Tokyo and went to Nagasaki where I took deck passage on a little steamer which took me as far as Fusan. Then I got into a little steamer that was destined for Chemulpo. Then I had to take a sampan, traveling thus for eight days, experiencing considerable wintry weather on the voyage. I reached Chemulpo by sampan just after the naval battle there and took pictures of the wrecks. I then went to Seoul and from there to Ping Yang and accompanied the first division to Sunan. From there I was ordered back to Seoul by the grand headquarters at Tokyo, and remained in Korea's capital until I, with thirteen others, was given permission to go to the front. Up to the time I left Japan on my way home we were the only ones who were seeing anything of the war.

"On May 1, I saw the battle at the crossing of the Yalu. It was a perfect text-book fight, one carried out by rule of thumb. The movements of the Japanese armies were perfectly executed, agreeing with every plan mapped out by the strategists. All branches co-operated to make it a perfect fight from the Japanese side. The pontoon trains came up just at the right time, the artillery opened up at the psychological moment on the Russians across the river and the battle raged according to the settled ethics of war."

"The correspondents, however, were not permitted to get into places where they could observe more closely the methods in vogue. Under the supervision of the officers detailed to look after us, we went out upon the walls of Wiju and from there with our glasses saw the Japanese shell the Russian position. The second division swept the Russians back, but there were not more than 2000 Russians on the firing line. They were without their artillery which had been withdrawn from its original position the night before. Against this firing line were 2000

Japanese. The Russians were outflanked to boot, because the extreme right end of the Japanese force extended far beyond their own and overlapped it, and they were turned back by the extreme of length of the Japanese column. The Russians, too, were in process of retreat at the time.

"But the advance of the Japanese soldiery is most praiseworthy. It was simply an irresistible advance, and was perfect. It was a steady, stern advance and the Japanese died willingly for their country. It is a glorious thing, to them, to be permitted to exhibit their patriotism by dying. In this respect they are similar to the Dervish, who dies willingly from fanatical love for Allah. The charge of the Japanese at the Yalu is worthy of remembrance in the history of battles."

"We were permitted to see this much at long range, but instead of being allowed to go on with the victorious column we had to go back to our camp behind a range of hills, and saw nothing more. When the army crossed the Yalu we did likewise on May 2. We went to Antung and to Feng Wang Cheng where the Japanese army met its first repulse. I understand today, that the Russians are still holding them back."

"The Japanese adopted the German method in maneuvering by taking every precaution against attack. The Russians seem to take no precautions whatever, but seemingly look to a miracle to pull them away from disaster, or to give them victory."

"I saw many Russian prisoners. They are generally pretty big men and seem to be brave and as perfect soldiers as they can be under the Russian system."

"The strategy of the Japanese is wonderful—is perfect. Nobody knows anything of their plans. But the management of Russian operations seems nothing short of criminal. The Japanese commissariat is a wonderful organization, and their hospital service of the best."

"How did I get news from the front to the cable offices? Well, it wasn't very well done. Of course, everything we sent out was censored at once. We had established a relay line of Korean runners to Ping Yang. The news I sent of the Yalu fight was sent by runners to Ping Yang where the field telegraph corps of the Japanese army put it on the wires to Seoul. It was censored and censored and finally reached Tokyo by wire, where it was again subjected to censorship. Every censor who could take a whack at it did so. There wasn't much left of it by the time it reached my papers."

"Messages by wireless were sent for some time, the London Mail having chartered the steamer Himun which was fitted up with wireless apparatus. They received news from shore, being able to operate about 100 miles, and what they saw of the fleet they wired to Chefoo. But one day they were boarded by a Russian man-of-war officer and the vessel was detained. Messages were sent right along, however, even with the Russian aboard. One was, 'We are being boarded from a Russian man-of-war. If you do not hear from us in an hour, communicate with the English ambassador.' The vessel was shortly released."

"I am now on my way home, where I will probably write a book on the war. You see I went out there on a vacation. I am not a journalist in any sense of the word, only a writer of books and stories. I have put in my vacation to good account and have much material for a book."

ARCHBISHOP OF CANTERBURY.

(Continued from Page 1.)

oratory degree of D.D. from the University of St. Andrew's in 1884. He was ordained deacon in 1874 and priest in 1875. He was curate of Dartford, Kent, from 1874 to 1877; resident chaplain to the Archbishop of Canterbury (Dr. Tait) from 1877 to 1882; examining chaplain to the Bishop of Durham (Dr. Lightfoot) from 1881 to 1883; Six Preacher of Canterbury Cathedral; sub-almoner and honorary chaplain to the Queen and resident chaplain to the Archbishop of Canterbury (Dr. Benson) from 1882 to 1883; and Dean of Windsor and domestic chaplain to Queen Victoria from 1883 to 1891. He was consecrated Bishop of Rochester in St. Paul's Cathedral on June 24, 1878; and in the same year he became, in succession to Bishop Philpott, Clerk of the Closet to the late Queen. In 1895 he was translated to the See of Winchester. He is ex officio Prelate of the Order of the Garter, and Visitor of Winchester College and New College, Oxford, as well as of Magdalen, Corpus Christi, Trinity, and St. John's Colleges, Oxford, of Elizabeth College, Guernsey, and of the Royal Medical College, Epsom. He was appointed a trustee of the British Museum in 1884, and in 1887 he was elected by the masters of Eton to represent them on the governing body of the school. He was appointed a member of the Governing Body of Wellington College in 1889, and a governor of Charterhouse school in 1895. He organized the Lambeth Conferences of 1878 and 1888, and in the latter year he published "The Origin and History of the Lambeth Conferences," an interesting and exhaustive account of these meetings. In 1878 he married Miss Edith Murdoch Tait, daughter of the late Archbishop Tait, and in 1891 he published, in collaboration with Canon Benham, a life of Archbishop Tait in two volumes.

Hilo's Frog Shipments.

Forty dozen frogs were included in the cargo brought up from Hilo by the steamer Enterprise, which arrived in the harbor today. The frog industry is a new one in the Hawaiian Islands, but it is stated that in future every steamer coming from Hilo will bring a consignment. The Enterprise occupied ten days in coming from the island port, and her captain states that her weather was encountered on the entire trip. Included in the freight were 2000 dozen of frogs, 2000 bunches of bananas and 10 boxes of pineapples, which is to be used in the industry of Honolulu. Honolulu, June 23.

Robert M. Fulmer.

In the damage suit of Robert M. Fulmer vs. Honolulu Rapid Transit and Land Co., in which a verdict of \$2200 was returned for plaintiff, Ayon H. Crook has filed plaintiff's bill of costs amounting to \$4500.

Judge De Holt appointed W. C. Wheeler administrator of the estate of the late Gardner H. Wheeler under bond of \$1000. The estate is valued at \$12000. Mrs. Wheeler was granted a note pursuant on the charge of which Judge

CAUGHT BIRD DESTROYERS

The Thetis Returns From Lisianski Island.

The revenue cutter Thetis arrived in port yesterday with seventy-seven Japanese who were taken prisoners on Lisianski Island. These men are part of the expedition of bird poachers that has been denuding the American islands to the westward of the Hawaiian group. Their presence there has been known of for sometime and at last reports they had a schooner, the Yellu Maru, but now this has been lost and the Thetis really performed a work of rescue as the Japanese had but little food left and would have soon been in sore straits had not the revenue cutter visited the place to take them prisoners. The party had killed thousands of birds and preserved many skins which are now stored in a deserted shack on the island. This loot is said to be worth between \$15,000 and \$20,000.

From the Japanese, Captain Hamlet, of the revenue cutter, learned the story of their work. The expedition was sent out last December by a Tokio concern in the schooner Yellu Maru. Their vessel was damaged in a gale but they put into Midway Island and secured lumber there to make some repairs. Then they proceeded to Lisianski, a small bit of land, perhaps a mile across in each direction, and on this island erected four rough shacks. One of the buildings was for the storage of skins and the others furnished the party with shelter. On the eighteenth of January a gale swept over the island. The Yellu Maru's anchors dragged and she was stove to pieces on the reef. Ten men lost their lives in the catastrophe and the remainder of the party only saved a boat and some sails from the wreck. But the men went to work preparing skins. Birds by the thousand were stunned with clubs and then their skins were prepared by taxidermists. Many of the birds were of a variety having brilliant plumage. They consisted of terns, white-bos'un birds, frigate birds, gulls, and other kinds. The frigate bird is said to be a rare and valuable one.

On February 27th the schooner Tiyu Maru, a vessel also owned by the Tokio concern, visited the island. This vessel left thirty-nine men on the island and her officers agreed to return in a few weeks and take the whole party back to Japan. But weeks went by and there was no sign of the schooner's return. Food became scarce and in desperation the men erected a beacon on the low island in the hope of attracting the attention of some passing vessel. They had but little rice left and were living on the dried meat of the dead birds when the Thetis arrived on the scene on June 16th. The men were pleased at the opportunity of leaving the island and did not seem at all alarmed at falling into the hands of the revenue officials. The men had not heard of the Russo-Japanese war.

GREAT DESTRUCTION OF BIRDS. Captain Hamlet says that the party slaughtered many birds. They had three hundred and thirty-five cases of bird skins packed when the Thetis arrived. Captain Hamlet estimates that the party killed at least 300,000 birds and the skins obtained were destined for shipment to the millinery concerns in France.

The commander of the Thetis has prepared a full report of his work and this will be forwarded to Washington.

TRIAL RACES WITH TIME

Judgment for plaintiff for \$227.42 in the case of Mrs. J. A. King vs. R. W. Davis has been certified up to the Supreme Court from the District Court of Honolulu.

C. A. Brown vs. J. D. Spreckels et al. is still on before Judge Gear, the court working longer hours to put it through before Saturday midnight, when the present term expires.

Edward S. Boyd pleaded not guilty before Judge De Holt to five indictments for embezzlement of public money. The cases were continued to the September term.

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